

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-61743-CIV-DIMITROULEAS

ITOW.BOATS, LLC,

Plaintiff,

v.

M/V EMPIRE III, a 2005 50 Azimut
Motor Vessel, her engines, tackle, equipment,
apparel, appurtenances, etc., *in rem*, and
THE EMPIRE YACHTZ, LLC,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION OF MAGISTRATE
JUDGE; GRANTING MOTION TO ENFORCE SETTLEMENT AGREEMENT**

THIS CAUSE is before the Court upon Plaintiff's Motion to Enforce Settlement Agreement [DE 35], and the December 22, 2023 Report and Recommendation of Magistrate Judge Patrick M. Hunt (the "Report") [DE 42]. The Court notes that no objections to the Report [DE 42] have been filed, and the time for filing such objections has passed.¹ As no timely objections were filed, the Magistrate Judge's factual findings in the Report [DE 42] are hereby adopted and deemed incorporated into this opinion. *LoConte v. Dugger*, 847 F.2d 745, 749-50 (11th Cir. 1988), *cert. denied*, 488 U.S. 958 (1988); *RTC v. Hallmark Builders, Inc.*, 996 F.2d 1144, 1149 (11th Cir. 1993).

Although no timely objections were filed, the Court has conducted a *de novo* review of the Report [DE 42] and record and is otherwise fully advised in the premises. The Court agrees with the Magistrate Judge's analysis and conclusion that the Court should enter final judgment


¹ The Magistrate Judge shortened the time period for filing objections.

against Defendant The Empire Yachtz, LLC for \$35,000.00 and reserve jurisdiction to award attorney's fees and costs to Plaintiff.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Report [DE 42] is hereby **ADOPTED** and **APPROVED**;
2. Plaintiff's Motion to Enforce Settlement Agreement [DE 35] is hereby **GRANTED**.
3. Pursuant to Federal Rule of Civil Procedure Rule 58, the Court will enter a separate final judgment.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida,
this 2nd day of January 2024.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies to:
Counsel of Record
Magistrate Judge Patrick M. Hunt